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JUN 30 2006

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Rene Seeber)	
)	
Serial No.: 09/746,453)	Group Art Unit: 2627
)	
Filed: December 21, 2000)	Examiner: Gregory M. Desire
)	
For: System and Method for)	Confirmation No.: 2390
Compiling Images from a Database and)	
Comparing the Compiled Images with)	
Known Images)	

PETITION UNDER 37 C.F.R. § 1.137(b) FOR REVIVAL
OF AN APPLICATION UNINTENTIONALLY ABANDONED

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

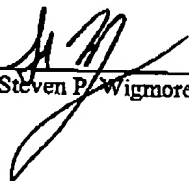
June 30, 2006

Sir:

In response to the Notice of Allowance mailed to the Applicant on November 4, 2005, the Applicant named in the patent application identified above hereby petitions under 37 C.F.R. § 1.137(b) to revive the patent application:

The above-referenced patent application went abandoned on February 7, 2006 for failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). The three month due date for paying the issue fee for this patent application was February 6, 2006.

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Mail Stop Petition, P. O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. 571-273-8300, on June 30, 2006.


Steven P. Wigmore, Reg. No. 40, 447

07/08/2006 RWDNDP1 00000030 110330 05745453

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PAGE 2/12 * RCVD AT 6/30/2006 10:20:38 AM [Eastern Daylight Time] * SVR:USPTO-EFAXF-2/0 * DNIS:2738300 * CSID:404 572 5134 * DURATION (mm-ss):03-34

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Serial No.: 09/746,453

The entire delay in filing the required reply of paying the issue fee from the due date until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

The required issue fee and issue fee transmittal for responding to the Notice of Allowance was not filed by or before February 6, 2006 because the Notice of Allowance was mailed to the Applicant's prior representatives of Coudert Brothers LLP of Palo Alto, California. The Applicant never received the Notice of Allowance since Applicants' current representatives of King & Spalding LLP of Atlanta, Georgia did not receive the notice that was sent to Applicant's prior representative.

Applicant's current representative did not file a power of attorney with the Office and therefore, the Office correctly sent the Notice of Allowance to Applicant's prior representative who were the attorneys of record. A new power of attorney, a completed Issue Fee Transmittal Sheet, and an authorization to charge the issue fee to Applicant's current representative's deposit account are attached to this petition.

A terminal disclaimer is not required to accompany this petition because this patent application was filed after June 8, 1995.


This initial petition should be considered timely because it has been filed within one year of the date of abandonment (which was February 6, 2006 as noted above). SEE M.P.E.P. § 711.03(c), subsection II, D, p 700-193. The Applicant notes that a Notice of Abandonment has not been received by the Applicant.

The Director is hereby authorized to charge the amount of \$1700 to cover the Issue Fee and Publication Fee required by 37 C.F.R. §1.18 and to charge the amount of \$1500 for the petition fee pursuant to 37 C.F.R. § 1.17(m), to **Deposit Account No. 11-0980**. A duplicate of this paper is attached.

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The Director is further hereby authorized to charge any fees, including but not limited to those under 37 CFR 1.16 and 1.17, which may be required by this paper to **Deposit Account No. 11-0980**. The Applicant respectfully requests revival of the above-identified patent application.

Respectfully submitted,


Steven P. Wigmore
Registration No. 40,447
June 30, 2006

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K&S Docket: 05456.105044